

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
Washington, D.C. 20231 U.S. PTO



Sir:

09/24/01

Atty. Dkt.: 2818-58

Date: September 24, 2001

11002 U.S.P.T.O.  
09/24/01  
09/960652

Attached for filing is the patent application of:

Inventor: DE SIMONE, Claudio

Entitled: COMPOSITION COMPRISING ALKALINE SPHINGOMYELINASE  
FOR USE AS A DIETETIC PREPARATION, FOOD  
SUPPLEMENT OR PHARMACEUTICAL PRODUCT

and including attachments as noted below:

- Newly executed Declaration,  Copy of Declaration from prior application,  Abstract  
19 pages of specification and claims (including 24 numbered claims), and  
3 sheets of accompanying drawing/s.
- Record the attached assignment and return to the undersigned.
- Attached is a Power of Attorney.
- Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

**Application Number****Country****Day/Month/Year Filed**

RM99A000376

Italy

9 June 1999

PCT/IT00/00230

7 June 2000

, respectively, the entire content of which is hereby incorporated by reference in this application..

 Certified copy(ies) of foreign application(s) is/are attached. Certified copy(ies) filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_

Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

Please amend the specification by inserting the following paragraph before the first line: --This application is a  continuation of PCT/IT00/00230, filed 7 June 2000, the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to MENDES S.R.L. UNIPERSONALE (MENDES S.U.R.L.).

It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

Applicant claims "small entity" status.  "Small entity" statement attached.Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Also attached:  Information Disclosure Statement w/PTO-1449 Form, International Search Report and References;  Non-Publication Request;  Nucleotide and/or Amino Acid Sequence Submission;  Statement deleting Inventor(s) named in prior application;  Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

## Basic Filing Fee

Total effective claims	36 - 20 (at least 20) =	16 x \$ 18.00	\$ 710.00
Independent claims	2 - 3 (at least 3) =	0 x \$ 80.00	\$ 288.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)			\$ 0.00
			\$ 270.00
		SUBTOTAL	\$ 1268.00
If "small entity," then enter half (1/2) of subtotal and subtract			-\$( 0.00)
Assignment Recording Fee (\$40.00)		SECOND SUBTOTAL	\$ 1268.00
			\$ 0.00
		TOTAL FEE ENCLOSED	\$ 1,268.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
ARC:tat

NIXON &amp; VANDERHYE P.C.

By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: